

Legal Oversight Committee

The Legal Oversight Committee (LOC) assists the GSIS Board of Trustees in carrying out its quasi-judicial powers, exercising its oversight responsibilities over Big-Ticket cases, monitoring legislative measures that may affect GSIS operations or Fund Life, and ensuring GSIS's compliance with applicable laws, rules, regulations, and procedures.

The LOC monitors, oversees, and recommends legal strategies regarding Big-Ticket cases, which refer to cases wherein any of the following factors is present:

- a. Cases involving high-value real estate properties that are either owned, mortgaged, foreclosed, and/or claimed by the GSIS with an appraised value of at least Fifty Million Pesos (Php50,000,000.00);
- b. Cases where the total claim (including damages and fees) involved is at least Fifty Million Pesos (Php50,000,000.00);
- c. Cases that have substantial impact on, or present a threat to, the actuarial solvency, policies, operations, and reputation of the GSIS, as determined by the President and General Manager;
- d. Criminal, civil, and/or administrative cases filed by or against GSIS Trustees or officers (Vice Presidents and up) in any court, tribunal, office, agency, or body, in connection with the performance of their official duties; and
- e. Other cases that may be classified as a Big-Ticket case by the LOC in the exercise of its discretion.

In addition, the LOC reviews the quasi-judicial cases elevated from the Committee on Claims (CoC) and recommends to the Board of Trustees actions to be taken in the disposition thereof to ensure the speedy, efficient, and responsive dispensation of justice.

The LOC also reviews cases filed in the name of the GSIS as well as proposed laws, policies, procedures, and other issuances within its area of expertise, including position papers on legislative measures that may affect GSIS operations or Fund Life. It likewise passes upon business cases proposed by the Legal Services Group (LSG) or the Office of the Corporate Secretary in the exercise of its function as Clerk or Compliance Officer of the GSIS.

Further, the LOC monitors the annual appropriation requirements for legal contingencies and provision requirements for pending litigation.

The Charter of the LOC was approved on 9 February 2012 through Board Resolution (BR) No. 20 and has been amended twice. The *first*, on 12 December 2013 through BR No. 149 to reflect the changes in the composition of the Committee; and the *second* on 15 October 2015 through BR No. 154 to reflect the changes in the Chairmanship as well as to clarify the Committee’s authority and responsibility with respect to the review of quasi-judicial cases. The LOC Charter is reviewed and assessed annually.

All of the Trustees are members of the LOC, with the Chairperson, who is a lawyer, elected from among the members.

In 2020, the LOC held 12 regular Committee meetings attended by the following members:

| Members | No. of Meetings Present |
|--|--------------------------------|
| Chairperson Carlo Antonio B. Almirante | 12 |
| Board Chairman Lucas P. Bersamin* | 10 |
| PGM Rolando L. Macasaet | 12 |
| Trustee Wilfredo C. Maldia | 12 |
| Trustee Jocelyn De Guzman Cabreza | 12 |
| Trustee Alan R. Luga | 12 |
| Trustee Anthony B. Sasin | 12 |
| Trustee Nina Ricci Ynares-Chiongbian | 12 |
| Trustee Kahar H. Macasayon | 12 |

**Appointed as GSIS Trustee on 6 February 2020 and elected as Chairman of the Board of Trustees on 13 February 2020*

After the 10 March 2020 Board meeting held in Baguio City, the Board held regular and special meetings through videoconference, due to restrictions on travel and face-to-face transactions because of the Coronavirus Disease 2019 (COVID-19) pandemic.

Despite these limitations, the members of the Board of Trustees attended meetings as scheduled. In fact, the Trustees achieved **100% attendance in all of the Committee meetings in Calendar Year (CY) 2020**, staying true to the GSIS core values of professionalism, love of country, integrity, and service excellence.

Legal Oversight Committee Milestones

Big-Ticket Cases

There were 44 cases identified by the Committee as big-ticket, for which the LSG submits a regular quarterly report.

In 2020, the LSG obtained favorable judgment on the following big-ticket cases:

- Regional Trial Court in the case of *City of Pasig vs. GSIS (Civil Case No. 3633-PSG)*;
- Regional Trial Court in the case of *City of Pasig vs. GSIS (Civil Case No. 4134-PSG)*

The LSG was likewise able to obtain favorable judgment from the Supreme Court on the following case:

- *GERSIP, Inc., et al. vs. GSIS (GR No. 249372); Emeterio Casimiro, et al. vs. GSIS (GR No. 251782).*

Quasi-Judicial Cases

Of the 39 quasi-judicial cases in 2020, the Committee resolved 19 and referred three to the CoC, leaving 17 cases pending at the end of the year.

| | 2017 | 2018 | 2019 | 2020 |
|---------------------------------------|-------------|-------------|-------------|-------------|
| No. of Petitions/MRs at start of Year | 40 | 27 | 19 | 23 |
| No. of Petitions/MRs Filed | 42 | 31 | 46 | 16 |
| No. of Cases Resolved | (55) | (39) | (41) | (19) |
| No. of Cases Referred to CoC | (0) | (0) | (1) | (3) |
| No. of Cases Remaining at Yearend | 27 | 19 | 23 | 17 |